2: Underhill E-5 (1931-1935)1939 NU28 Papago NU28

be thanked by the council. The record of the calendar stick is punctuated with such executions.

Murder, in the Papago view, was not a crime. It took place generally at the drinking feast or in a quarrel over a woman, and the victim's family then had a right to kill the murderer or a member of his family. The Keeper, governor and elders remonstrated with them and begged them not to make the village lose a man, but if they insisted, "no one would interfere." One instance was recited where the murderer had fled the country but his brother was still in the village. The victim's brothers came to the door of his house and told him: "We are going to kill you. Send your wife and children away." He sent them away and then came to meet his executioners. After his death his wife tore down the house, according to the usual custom and all the village united in rebuilding it for her at another place and in helping to support her for life (2).

Murder was considered by the Spaniards a crime for which the offender should be delivered to the provincial authorities, but the Papago ignored the ruling except when soldiers or priests were sent to enforce it. Assault and battery was considered a family affair, like murder and in old times it was left to the people concerned. However, the priests thought it a matter for the whipping post and in some places it came to have that penalty.

There was considerably less scope for sexual offenses than in modern society and a man, particularly, had a great deal of freedom. If he conceived a sudden passion, he could always take the woman as an additional wife, after the proper preliminaries of divorce for a married woman or proposal for a maiden. There were official nights of saturnalia, at the drinking feast and the maiden's dance when he could gratify a briefer desire. Homosexual tendencies were openly acknowledged and sanctioned.

Yet sexual offenses did occur. Rape is never mentioned and an illicit affair with a maiden was not important, but one with a married woman, without the proper divorce, was an infringement of the husband's property right. The husband could destroy or appropriate the lover's property and, if he killed him, would not be interfered with. A woman had less freedom and less consolation. There were no female transvestites and a woman could take advantage of the saturnalian feasts only with her husband's consent. She could have only one husband and, if she preferred another man must be divorced and become a second wife. If her husband was having a love affair, she had no remedy but to scratch the other woman while the village looked on. When too much outraged, she

2: Underhill E-5 (1931-1935)1939 NU28 Papago NU28

684 could but return to her family. However, sexual offenses were a
837 point where the native and Christian points of view overlapped. Adultery, in the eyes of the Church, was a cardinal sin, and in villages where missionary influence was felt, both male and female adulterers were punished at the whipping post.

685 The chief native offenses against property (if we except the stealing of a wife) were theft, the moving of land boundaries, and food hoarding. Theft was a rare occurrence, since all had about the same amount of possessions and since families shared even with their laziest members. In old days, it was dealt with by the Keeper, who asked the offender's family to make restitution. Public opinion forced them to comply or lose their status in the community. The moving of land boundaries was dealt with in the same way. The two landholders concerned were summoned before the Keeper by his Leg and urged to come to an agreement. Sometimes the Keeper would suggest that they should divide the land under dispute and each find an extra plot further off. The hearing usually took place before all the elders and both were ashamed to show themselves quarrelsome; so they accepted the decision. If one were recalcitrant without good cause, the council might ask him to leave the village. Food hoarding was recognized by all as a serious offense, but it was not punished. The offender was simply recognized as a public enemy and avoided to such an extent that he and his family suffered economically from lack of help and socially from loneliness and humiliation.

681 This seems to sum up the offenses and the discipline of pre-Spanish days. The community and officials acted principally as umpires and used no corporal punishment except in the killing of the shaman which was regarded as an act of self defense. The punishments of admonition and banishment which they did administer, fell, not upon the individual offender but on his whole family. It has been mentioned above that a family, particularly a father and brothers, would not desert a man no matter what his behavior. If they could not reform him, they might, themselves, take him to the authorities for a severe lecture on the fact that he was ruining his family's position. They might share in this lecture for having failed to keep him in order. If he was so impossible that he must be asked to leave the village one or more of the family would have to go with him — since an individual could hardly exist alone, — or distant relatives must take him in. In any case, there was no thought of the penalty singling out the individual and leaving the family free. With supernatural vengeance, this was particularly true for misfortune might strike any member of the family and not necessarily the culprit.

2: Underhill E-5 (1931-1935)1939 NU28 Papago NU28

885 sometimes turned into a lascivious occasion. She and her husband,
[593] as a sign of intimacy, ate out of the same dish and deloused one another's hair.

585 The system of having the groom spend four nights at the bride's
587 house was only for first marriages and if either party had been married before, it was omitted. When the groom was already the husband of the bride's older sister, there were no formalities. The bride's parents simply announced that their daughter was old enough, received his acquiescence and brought her to him. But parents often decided to offer a daughter to a man who had a wife not her sister or who was widowed or divorced. In that case they delayed to consult their relatives and instruct the girl but then took her to him without the preliminary four nights. If the man were still very young, the negotiations might be made with his family, otherwise with the man himself. Adult women also sometimes made their own arrangements but as a rule a widow or a divorced woman who returned to her family was disposed of by them like a young girl.

"We gave my son a wife when he was seventeen. Some people came to us and said, 'We have a daughter. She was married to a man but that man went away to the White school and when he came back, he did not take her. She is older than your son but she is industrious. She may be some help to him.' We said, 'It is true that she is older but we have seen her work. She may be a help.' So we told our son and he said nothing." (26)

A divorced woman thus recounted her experience after she had come back to her mother's house.

"A few days' later my uncle found out. He said, 'We cannot have this woman here with no one to care for her. We must find a husband.' So he went to an old man and proposed for me. I didn't
[562] say anything. No woman has a right to speak against the men of her family." (26)

MARITAL RELATIONS

595 All a man's wives lived in the same house. If they were sisters, it was said they always got along together; otherwise there might be quarrelling and he might build a separate house for one of them. The local tales abound in situations where a man had to divide his attention between two wives.

837 The pattern of female seclusion and modesty was entirely altered
786 after marriage. Women might now go to the drinking ceremonies and to the girl's puberty dance which was the outstanding occasion for sex liberties. For couples to disappear into the darkness at these times was an accepted part of the performance. Women joked

2: Underhill E-5 (1931-1935)1939 NU28 Papago NU28

freely and obscenely with married men and the words they used in semi-joking invitation were used by the men as nicknames. Very few adult men are called, in daily life, by the name given them by the shaman, but rather by one of these terms. Such temporary liberties did not constitute grounds for complaint on the part of a spouse. It was only when husband or wife left home with a lover that there was serious difficulty.

There was a class of women who assumed a married woman's privileges of free language and contacts with men, without any of her duties. This same class, which closely resembles that of the prostitute, is found among the Pimas and called by a name which means "playful" or light woman. If it has been adopted under European influence, it has at least become thoroughly assimilated to the Papago and Pima pattern, for it lacks both the obloquy and the element of pay present in the European institution. The Papago tradition is that the playful women were called out long ago by a youth who played the flute and drove them mad.

The playful women were always in festal array. Their clothing was the double apron or a strip of cotton cloth wound around as a skirt. They painted their bodies, legs and feet, by smearing them with red or white clay and then making patterns with the wet finger tip. They made lines under their eyes with the black specular iron which the men used in war and called "dizziness". On their cheeks they might have vertical marks of red clay. Their hair was well combed and they wore a fillet of hair around the forehead with a bit of eagle down stuck upright.[1]

So arrayed, the light women would go all together to the girl's puberty dances or to the big drinking ceremonies, where married women appeared only with their husbands and young girls not at all. The playful woman would form a temporary union with some man with whom she would visit several drinking ceremonies or dance through the whole month of puberty dances. At such festivities, food was supplied to everyone and her mate need not necessarily support her. She might follow him on a trading expedition, when he would care for her or occasionally she would go home with him and become one of his wives. In that case the other wives would not object, unless she were too lazy. But she generally left him again to attend a new festivity.

Between affairs she would go back to her father's house. Parents made no attempt to control a daughter, if she seemed inclined to

[1] That this type of woman was not a Spanish importation is indicated by two mentions of "prostitutes" in Sahagun: Seler, Neunter Abschnitt, b, 7, p. 366 and Jourdanet et Simon, Livre X, chap. XV, p. 616.

7: Lumholtz N-5 (1909-1910)1912
NU28 Papago NU28

553 tages which the child gains are supposed to be health,
261 strength, and luck; untoward happenings are also pre-
vented even to the family itself. If the birth occurred
[777] in the season of thunder-storms, the danger to the child,
or a near relative, of being killed by lightning will be
553 averted. For four days after the ceremony the parents
abstain from eating salt and jack-rabbit meat, and they
must not do much work; the father cannot hunt.

837 The natural characteristic of the Papago is to be vir-
684 tuous. According to Indian reports, a woman caught in
adultery used to be punished with death. In recent times
whipping has been the penalty and the custom of killing
184 her animals still prevails. The tribe has been notably
stable in racial qualities during centuries of contact with
whites. Intermixture to-day rarely takes place except
in Sonora, where the Mexicans have taught the Indians
new customs. In the out-of-the-way places of southern
Arizona a few Americans are known to have Papago
wives; they have children and to all appearances are
known to lead happy lives, for the lady of the house is in-
telligent, quite good-looking, clean, and very industrious.
During my stay at Sonoita several couples came to be
married by the civil authority there.

682 Murder was left to the family of the murdered person
to punish. From an American who speaks their lan-
838 guage and lives in the central part of the Papagueria, I
received what I must accept as reliable information with
regard to unnatural vice, which perhaps may be more or
less restricted to that locality. Several startling instances
were told me by him and also by a trustworthy Indian